IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.16094 of 2008
RAM DULAR SINGH KUSHWAHA
Versus
STATE OF BIHAR
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2 15-05-2008 Heard learned counsel for the petitioner, learned APP on behalf of the State and also learned counsel for the informant.

The petitioner is an accused in a case u/ss 406, 420 and other sections of the Indian Penal Code.

The complainant Shyma Prasad Singh on 7.2.07 filed complaint case no. 152/07 against the petitioner and two others before the Chief Judicial Magistrate, Bhabhua for an occurrence which had taken place on 4.2.06. It appears that a copy of the complaint petition was sent to the concerned police station on the basis of which the present case, that is, Bhabhua PS case no. 135/07 dated 15.4.07 came into existence.

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The allegation is that on 4.2.06 the petitioner along with others came at the *Khalihan* of the complainant/informant and purchased 68.85 quintals of paddy for Rs. 36,130/- and promised to pay the price within 15 days. The same was not paid and, accordingly, the complaint was filed.

Learned counsel submitted that petitioner is in custody since 10.1.08. He submitted that petitioner has absolutely no concern with the business as he is separate in mess and property from his brother Hardwar Singh and father Bechan Singh. He further submitted that the present case has been filed by the complainant just to put pressure upon the petitioner.

Learned counsel for the informant vehemently opposed the bail and produced a receipt to show that the same is in handwriting of the petitioner. Learned counsel for the petitioner in reply submitted that the receipt does not bear the signature of the petitioner.

It appears that investigation against the petitioner is over.

In the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabua in Bhabua PS case no. 135/2007.

BKS/ **(M. Saran,J.)**

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